

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of OKURA et al

Application No. 09/479 862

Filed: January 10, 2000

For GENOMIC DNA ENCODING A POLYPEPTIDE

Art Unit 1632

Examiner R. SHUKLA

Washington, D.C.

Atty's Docket OKURA=1A

Date February 21, 2002

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir

Transmitted herewith is a [X] Amendment [ ]  
in the above-identified application.

- [ ] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted
- [ ] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed
- [ ] No additional fee is required
- [XX] The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 5	MINUS	** 20	0
INDEP.	* 2	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

ADDITIONAL FEE TOTAL

## SMALL ENTITY

	RATE	ADDITIONAL FEE
x	9	\$
x	42	\$
+	140	\$
ADDITIONAL FEE TOTAL		\$

OR

## OTHER THAN SMALL ENTITY

	RATE	ADDITIONAL FEE
x	18	\$
x	84	\$
+	280	\$
TOTAL		\$

OR

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3
- \*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space
- \*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below

## Small Entity

## Response Filed Within

- [ ] First - \$ 55.00
- [ ] Second - \$ 200.00
- [ ] Third - \$ 460.00
- [ ] Fourth - \$ 720.00

Month After Time Period Set

## Other Than Small Entity

## Response Filed Within

- [ ] First - \$ 110.00
- [ ] Second - \$ 400.00
- [XX] Third - \$ 920.00
- [ ] Fourth - \$ 1440.00

Month After Time Period Set

[ ] Less fees (\$ ) already paid for month(s) extension of time on

[ ] Please charge my Deposit Account No. 02-4035 in the amount of \$

[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 920.00

[ ] A check in the amount of \$ is attached (check no )

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

OKURA et al.

Appln. No.: 09/479,862

Filed: January 1, 1999

For: GENOMIC DNA ENCODING A

POLYPEPTIDE CAPABLE OF...

Art Unit: 1632

Examiner: R. Shukla

Washington, D.C.

February 21, 2002

Atty. Docket: OKURA=1A

AMENDMENT

Honorable Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action of August 29, 2001,  
petition and payment for a three month extension of time being  
attached hereto, please amend as follows:

02/26/2002 NMHAMM1 00000038 09479862

01 FC:117

920.00 DP

IN THE SPECIFICATION

Please replace the paragraph beginning on page 13,  
line 6, with the following rewritten paragraph:

--The reaction mixture was diluted by 100 folds with  
sterilized distilled water. One  $\mu$ l of the dilution, 5  $\mu$ l of 10  
x Tth PCR reaction solution, 2.2  $\mu$ l of 25 mM magnesium acetate,  
4  $\mu$ l of 2.5 mM dNTP-mixed solution, one  $\mu$ l of the mixed  
solution of 2 unit/ $\mu$ l rTth DNA polymerase XL and 2.2  $\mu$ g/ $\mu$ l Tth  
Start Antibody in a ratio of 4:1 by volume, 10 pmol of an  
oligonucleotide with the nucleotide sequence of  
5'-CTATAGGGGCACGCGTGCT-3' (SEQ ID NO:13) as a nested primer, and

RECEIVED

FEB 27 2002

TECH CENTER 1600/2900

